

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

017753-132

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.51)

09/806,721

INTERNATIONAL APPLICATION NO.
PCT/FR99/02551INTERNATIONAL FILING DATE
20 October 1999PRIORITY DATE CLAIMED
22 October 1998

TITLE OF INVENTION

BIOLOGICAL MATERIAL FOR PREPARING PHARMACEUTICAL COMPOSITIONS FOR TREATING MAMMALS

APPLICANT(S) FOR DO/EO/US

Bruce ACRES; Stephane PAUL

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and the PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: **COMMUNICATION REGARDING REQUEST FOR SEQUENCE LISTING**

07/16/2001 SNAJARRO 00000142 09806721

01 FC:154

130.00 OP

U.S. APPLICATION NO. (If known, / see 37 C.F.R. 1.50) 09/806,721		INTERNATIONAL APPLICATION NO. PCT/FR99/02551		ATTORNEY'S DOCKET NUMBER 017753-132	
--	--	--	--	---	--

17. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS		PTO USE ONLY	
Basic National Fee (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1,000.00 (960) International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 (970) International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 (958) International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 (956) International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 (962)							
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$			
Surcharge of \$130.00 (154) for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). 20 <input type="checkbox"/> 30 <input type="checkbox"/>				\$	130.00		
Claims	Number Filed	Number Extra	Rate				
Total Claims	-20 =		X\$18.00 (966)	\$			
Independent Claims	-3 =		X\$80.00 (964)	\$			
Multiple dependent claim(s) (if applicable)			\$270.00 (968)	\$			
TOTAL OF ABOVE CALCULATIONS =				\$			
Reduction for 1/2 for filing by small entity, if applicable (see below).				\$			
SUBTOTAL =				\$	130.00		
Processing fee of \$130.00 (156) for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)). 20 <input type="checkbox"/> 30 <input type="checkbox"/>				\$			
TOTAL NATIONAL FEE =				\$	130.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (581) per property +				\$			
TOTAL FEES ENCLOSED =				\$	130.00		
				Amount to be:			
				refunded	\$		
				charged	\$		

a. ☐ Small entity status is hereby claimed.

b. ☒ A check in the amount of \$ 130.00 to cover the above fees is enclosed.

c. ☐ Please charge my Deposit Account No. 02-4800 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

d. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4800. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Norman H. Stepno
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

 SIGNATURE

 NAME

30,427
 REGISTRATION NUMBER

PTO/PET Rec'd 11 JUL 2001

Patent
Attorney's Docket No. 017753-132

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
)	
Bruce ACRES et al)	
)	
Application No.: 09/806,721)	Group Art Unit: Unassigned
(Corresponds to PCT/FR99/02551))	
)	
International Filing Date: 20 October 1999)	
)	Examiner: Unassigned
For: BIOLOGICAL MATERIAL FOR)	
PREPARING PHARMACEUTICAL)	
COMPOSITIONS FOR TREATING)	
MAMMALS)	

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This communication is submitted in response to the Notification of Missing Requirements issued by the U.S. Patent and Trademark Office on May 11, 2001, specifically the requirement to supply a sequence listing.

Upon review of the file the undersigned noted that there does not appear to be any specific sequences identified in the specification of the subject application. Applicants believe that the Notification To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures may have been issued in error. Accordingly, no Sequence Listing will be filed.

Should the Examiner wish to discuss the issue with regard to the Sequence Listing, the Examiner is respectfully requested to contact Applicant's undersigned representative at (703) 838-6638.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: _____

Teresa Stanek Rea
Registration No. 30,427

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

Date: July 11, 2001